IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

WP(C).No. 10213 of 2007(N)

PETITIONER:

RAJAKKAD ESTATES PVT.LTD.,
REPRESENTED BY ITS DIRECTOR DAVIS MANEUL,
C/O.KODIES GROUP OF COMPANIES,
CHERPUNGAL, PALA, KOTTAYAM.

BY ADV. SRI.C.K.KARUNAKARAN SC FOR (TBGARI)
SRI.C.E.UNNIKRISHNAN

RESPONDENTS:

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1. THE REGIONAL PROVIDENT FUND
COMMISSIONER, EMPLOYEES PROVIDENT FUND
ORGANISATION, ERANHIPPALAM, KOZHIKODE.

2. THE ASSISTANT PROVIDENT FUND
COMMISSIONER EMPLOYEES PROVIDENT FUND
ORGANISATION, ERANHIPPALAM, KOZHIKODE.

3. THE RECOVERY OFFICER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
ERANHIPPALAM, KOZHIKODE.

SC FOR PF SRI.THOMAS MATHEW NELLIMOOTTIL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.10213 of 2007

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Dated this the 26th day of March, 2007.

JUDGMENT

Heard.

2. In spite of serious efforts, the petitioner cannot find any way to sustain the challenge against the impugned recoveries. It is also pointed out by the respondents that the cheques issued by the petitioner had bounced earlier.

3. In the above circumstances, this writ petition is disposed of directing that if the petitioner remits the current dues within a period of two weeks from now, if not already paid, and pays off the entire outstandings under the impugned demand in three instalments, payable on or before the 20th of every month, commencing from April, 2007, the impugned proceedings shall stand dropped. If any among the conditions as to deposit are not satisfied, the benefit of this judgment will stand recalled automatically and the respondents will be at

liberty to forthwith proceed with distress action. This judgment will not preclude the respondents from encashing any cheque already issued by the petitioner and give due adjustments to work out the total outstandings.

Thottathil B.Radhakrishnan,
Judge.

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